

## **REMARKS**

### **STATUS OF CLAIMS**

In response to the Office Action dated February 23, 2007, claims 1, 3-6, 8-10, 13 and 15 have been amended, and claims 2, 7, 12 and 14 have been canceled. Claims 1, 3, 4-6 and 8-11, 13, 15 and 16 are now active in this application. No new matter has been added.

The indication that claims 15 and 16 are allowable, and that claim 6 is objected to, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims is acknowledged and appreciated. Claim 15 has been amended to provide better form and not to change the scope thereof. Consequently, claims 15 and 16, as amended, are believed to be allowable.

### **REJECTION OF CLAIMS UNDER 35 U.S.C. § 103**

Claims 1-5 and 7-14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Krause (USPN 7,110,602) in view of Buehler et al. (US 2005/0265582).

By this response, independent claim 1 has been amended to recite:

A method for tracking a target, comprising:  
receiving an input image including a target having a target position;  
determining components in a window of the image according to an edge direction of connected pixels, the window being associated with the target position;  
for all determined components in the window, determining possible track-to-component associations and the target position that would be derived from each association using tracks in a track file;  
assigning a weight to each track-to-component association in the window;  
determining a best set of track-to-component associations in the window and using this to determine current target position; and  
updating the tracks in the track file based on the determined current target position.

Neither Krause nor Buehler disclose or suggest the features now recited in amended independent claim 1. In particular, the references do not disclose or suggest that for all determined components in the window, determining possible track-to-component associations and the target position that would be derived from each association using tracks in a track file, assigning a weight to each track-to-component association in the window, determining a best set of track-to-component associations in the window and using this to determine current target position, and updating the tracks in the track file based on the determined current target position.

Claims 2 and 7 have been canceled, and claims 3, 8 and 9 have been amended for consistency with amended independent claim 1. In addition, independent claims 10 and 13 have been amended to recite similar subject matter and claims 12 and 14 have been canceled.

In view of the above, the allowance of claims 1, 3-6, 8-11 and 13, as amended, is respectfully solicited.

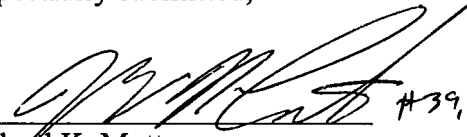
## **CONCLUSION**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise Reg. No. 34,523 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Date: May 23, 2007

Respectfully submitted,

By  #39,491  
for Michael K. Mutter  
Registration No.: 29,680  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant